

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JAMES P. KARTELL
Petitioner

Civil Action No. 04-10917-WGY

v.

BRIAN BURGWINKLE
Respondent

SUPPLEMENTAL ANSWER

Pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 2254, respondents file the following as their Supplemental Answer to the petition for writ of habeas corpus:

1. Docket Sheets, *Commonwealth v. James P. Kartell*, Essex Superior Court Indictment No. 9977-CR-0655
2. Brief and Record Appendix for the Defendant/Appellant, *Commonwealth v. James P. Kartell*, Appeals Court No. 2002-P-0125;
3. Defendant's Reply Brief, *Commonwealth v. James P. Kartell*, Appeals Court No. 2002-P-0125;
4. Commonwealth's Brief and Supplemental Record Appendix, *Commonwealth v. James P. Kartell*, Appeals Court No. 2002-P-0125;
5. Defendant's Application for Leave to Obtain Further Appellate Review, *Commonwealth v. James P. Kartell*, No. FAR-13542;
6. List of Available Transcripts.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL

/s/ Daniel I. Smulow
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Dated: June 10, 2004

CERTIFICATE OF SERVICE

I, Daniel I. Smulow, hereby certify that on June 10, 2004, I served a true copy of this document by first class mail to: Michael J. Traft, Esq., Carney & Bassil, 20 Park Plaza, Suite 1405, Boston, MA 02116.

/s/ Daniel I. Smulow